



Benjamin H. Richman <brichman@edelson.com>

Kolinek v. Walgreens

Benjamin H. Richman <brichman@edelson.com>

Wed, Sep 23, 2015 at 5:22 PM

To: Brent Vullings <bvullings@vullingslaw.com>

Cc: Nick Larry <nlarry@edelson.com>, Jamie Holz <jholz@edelson.com>

Brent:

These records aren't responsive to the subpoena. If your point is to try to rebut the fact that the phone number identified by Ms. Streight in her objection doesn't appear on the Class List, it's unclear why you wouldn't just produce, for example, her phone bills showing the calls she claims to have received. Beyond that, the records obviously don't speak to things like the terms of her representation agreement(s) with your firm or Mr. Kurilich, nor any of the other requests sustained by the Court.

At this point we see three options as to how we proceed from here. First, Ms. Streight can respond to each of the requests listed in the subpoena and sustained by the Court (I know you have ECF access to the Court's Order, but if you'd prefer us to send it to you, just let me know) and do so by the end of this week. Second, we can proceed with Ms. Streight's deposition at a mutually agreeable time and date. (You previously represented that you would provide us alternative dates to do so, but we never received them.) Or third, we can proceed to seek an order compelling Ms. Streight to respond to the subpoena and/or holding her in contempt for failing to do so. (Given that we hadn't heard from you and Ms. Streight had not otherwise responded to the subpoena, we actually planned to open up a miscellaneous action seeking an order to show cause in the Western District of Oklahoma today. But we're obviously happy to hold off through the end of the week if Ms. Streight will now comply with the subpoena.) If the latter, please let me know whether Ms. Streight will consent to such proceedings in the Northern District of Illinois before Judge Kennelly or would prefer that we open an action in the Western District of Oklahoma where her compliance with the subpoena is required.

Best,
Ben

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On Wed, Sep 23, 2015 at 4:44 PM, Brent Vullings <bvullings@vullingslaw.com> wrote:

| Ben,

These are the only documents that my client was able to obtain. Attached please find prescription records for my client indicating years worth of prescriptions from Walgreens. This relationship generated numerous unwanted and unwarranted telephone calls to my client.

Brent F. Vullings, Esq.

Licensed in PA, NJ, NY & DC

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The attorneys at Vullings Law Group , LLC are also admitted to practice in the United States District Court for the districts of the Eastern District of PA, Middle District of PA, Western District of PA, District of NJ, Southern District of New York, Eastern District of New York, Northern District of New York, Western District of New York, Eastern District of Michigan, Western District of Michigan, Northern District of Illinois, Central District of Illinois, Western District of Tennessee, Northern District of Texas, District Court of Colorado and the District Court of North Dakota.

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physical form or otherwise. Thank you.

From: Benjamin H. Richman [mailto:brichman@edelson.com]
Sent: Monday, September 14, 2015 11:42 PM
To: Brent Vullings
Cc: Nick Larry
Subject: Re: Kolinek v. Walgreens

Brent:

We have not heard back from you on this case in weeks. Please let me know whether you can meet and confer tomorrow--we are generally available. If we do not hear from you, we intend to seek an order of contempt against your client for her failure to respond to the subpoena served upon her in this matter. We'd like to avoid the need to proceed in that way, if possible.

Best,

Ben

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On Wed, Sep 2, 2015 at 4:49 PM, Benjamin H. Richman <brichman@edelson.com> wrote:

Brent:

We'd like to schedule a time to meet and confer with you regarding the subpoena we served upon your client, Ms. Streight, in the *Kolinek* matter. Do you have time to speak tomorrow or Friday? Please let me know.

Thanks,

Ben

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